

MIA M. DAUGHERTY, )  
)  
Plaintiff, )  
)  
v. ) No. 4:08-CV-1918 CAS  
)  
AMERISTAR CASINO ST. CHARLES, INC., )  
)  
Defendant. )

This closed matter is before the Court on the motion for compensation of services and reimbursement of out-of-pocket expenses filed by plaintiff's appointed counsel Shirley A. Padmore. Ms. Padmore requests attorney's fees in the amount of \$63,782.10 for over 200 hours of attorney time incurred over the period of 10 months, and out-of-pocket expenses in the amount of \$5,474.30 from the Eastern District of Missouri's Attorney Admission Fee Non-Appropriated Fund.

The Regulations authorize the judge to whom a case is assigned to approve compensation of fees not to exceed \$5,000 and reimbursement of expenses not to exceed \$5,000. See Regulations, §§ B.2, B.3.

### **A. Compensation for Attorney's Fees.**

The Regulations provide that the maximum reimbursement for attorney's fees in any one case is five thousand dollars. See Regulations §§ B.2 and D. The Court has reviewed the Out of Court Hourly Worksheets counsel submitted and determines that Ms. Padmore's request for compensation of services be granted in the amount of \$5,000.00 dollars.

### **B. Reimbursement of Expenses.**

As stated above, counsel seeks reimbursement for out-of-pocket expenses in the amount of \$5,474.30. The Court recommends that the request be granted as follow:

#### 1. Photocopies, long distance, and telecopies

Counsel seeks reimbursement of \$2.00 for telecopies. This expense is supported by appropriate documentation, and the amount will be allowed. See Regulations, § E.5. Counsel also seeks reimbursement for photocopies in the amount of \$1,622.75. This expense will be disallowed because it is not accompanied by documentation showing what documents were copied and whether this expense was actually paid out. See Regulations, §§ B.5, C.4, and E.5.

#### 2. Deposition expenses

Counsel seeks reimbursement for deposition expenses in the amount of \$3,849.55. The Regulations provide,

The costs of transcripts or depositions shall not exceed the regular original page and copy rate established by the Judicial Conference of the United States and in effect at the time any transcript was filed or deposition was taken, unless some other rate was previously approved by order of court. Except as otherwise ordered by the Court, only the cost of the original of any transcript or deposition together with the cost of one copy each where needed by counsel will be authorized.

Regulations, § E.1.

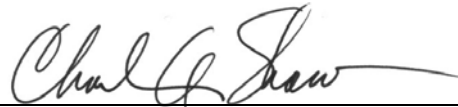
Counsel seeks reimbursement for the cost of depositions for the plaintiff, Michael McCart, and William Andrisse, in the amount of \$3,849.55. Ms. Padmore, however, has requested reimbursement for originals and copies of transcripts that exceeds the regular original page and copy rates as established by the Judicial Conference of the United States – \$3.65 and \$.90 respectively. Therefore, the costs of the depositions will be reduced by \$325.30. Total allowable reimbursement for depositions is \$3,524.25.

Accordingly,

**IT IS HEREBY ORDERED** that the Motion for Attorney's Fees and Costs filed by Shirley A. Padmore is **GRANTED** to the extent that Ms. Padmore will be reimbursed for attorney's fees in the amount of Five Thousand Dollars (\$5000.00), and for out-of-pocket expenses in the amount of Three Thousand Five Hundred Twenty-Six Dollars and Twenty-Five Cents (\$3,526.25), for a total of Eight Thousand Five Hundred Twenty-Six Dollars and Twenty-Five Cents (\$8,526.25).  
[Doc. 35]

**IT IS FURTHER ORDERED** that the Clerk of the Court shall promptly disburse to Ms. Shirley A. Padmore from the Attorney Admission Fee Non-Appropriated Fund the sum of Eight Thousand Five Hundred Twenty-Six Dollars and Twenty-Five Cents (\$8,526.25).

The Court wishes to express its appreciation to appointed counsel for her service to the Court and efforts on behalf of plaintiff.



---

**CHARLES A. SHAW**  
**UNITED STATES DISTRICT JUDGE**

Dated this 12th day of May, 2010.